

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

TERI LYNN HINKLE
Plaintiff.

vs

EXPERIAN INFORMATION
SOLUTIONS, INC.; TRANS UNION
LLC; EQUIFAX, INC.
Defendants

Civil No: 1:18-CV-00007-MR-DLH

FILED
ASHEVILLE, N.C.

MAR 16 2018

U.S. DISTRICT COURT
W. DIST. OF N.C.

PLAINTIFF'S MOTION AND MEMORANDUM IN SUPPORT
FOR LEAVE TO FILE AMENDED COMPLAINT

Plaintiff requests leave of the Court to file an Amended Complaint to add an additional party and clarify claims made.

A. Introduction

1. Plaintiff is Teri Lynn Hinkle; Defendants are Experian Information Solutions, Inc. (Experian), Equifax, Inc. (Equifax) and Trans Union LLC (Trans Union).
2. Plaintiff sued Defendants for violations of the FCRA.
3. Defendants Experian and Trans Union have filed an Answer while Equifax has failed to make an appearance.

B. Argument

4. Unless the opposing party can show prejudice, bad faith, or undue delay, a court should grant leave to file an amended pleading. *Foman v. Davis*, 371 U.S. 178, 182, 83 S.Ct. 227, 230 (1962). Leave to amend should be freely given when justice so

requires. Fed. R. Civ. P. 15(a); *Walton v. Mental Health Ass'n*, 168 F.3d 661, 665, (3d Cir. 1999).

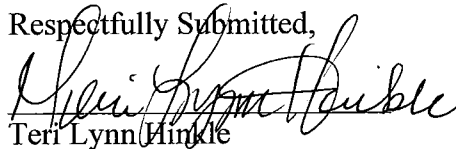
5. The court should allow the filing of Plaintiff's amended pleading because it properly corrects the deficiencies in Plaintiff's Original Complaint and allows a necessary party to be added to this action.
6. Defendants will not be prejudiced by Plaintiff's amended pleading.
7. Plaintiff is attaching her amended pleading to this Motion.

C. Conclusion

8. The Plaintiff has amended her Original Complaint to clarify issues presented and to add a necessary additional party to this action. Plaintiff requests the Court grant leave to file the Amended Complaint.

Plaintiff certifies that she has consulted (conferred), with counsel for Defendants which have answered. Trans Union opposes an Amended Complaint and Experian takes no position at this time.

Respectfully Submitted,



Teri Lynn Mink
19 Mossy Creek Trail
Murphy, North Carolina 28906
828-494-2007
queensongbird@gmail.com

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document was sent to the parties listed below by first class mail USPS.

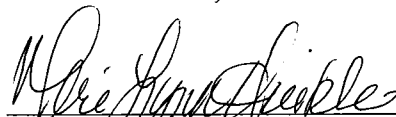
Counsel for Defendant Experian Information Solutions, Inc.

Ashley K. Brathwaite
ELLIS & WINTERS LLP
P.O. Box 33550
Raleigh, NC 27636

Counsel for Defendant Trans Union LLC

Kelly S. Brown
Young Moore and Henderson, P.A.
P.O. Box 31627
Raleigh, NC 27622

Dated March 14, 2018


Teri Lynn Hinkle